33 U.S.C. § 1312

§ 1312. Water quality related effluent limitations

(a) Establishment

Whenever, in the judgment of the Administrator or as identified under section 1314(*l*) of this title, discharges of pollutants from a point source or group of point sources, with the application of effluent limitations required under section 1311(b)(2) of this title, would interfere with the attainment or maintenance of that water quality in a specific portion of the navigable waters which shall assure protection of public health, public water supplies, agricultural and industrial uses, and the protection and propagation of a balanced population of shellfish, fish and wildlife, and allow recreational activities in and on the water, effluent limitations (including alternative effluent control strategies) for such point source or sources shall be established which can reasonably be expected to contribute to the attainment or maintenance of such water quality.

(b) Modifications of effluent limitations

(1) Notice and hearing

Prior to establishment of any effluent limitation pursuant to subsection (a) of this section, the Administrator shall publish such proposed limitation and within 90 days of such publication hold a public hearing.

(2) Permits

(A) No reasonable relationship

The Administrator, with the concurrence of the State, may issue a permit which modifies the effluent limitations required by subsection (a) of this section for pollutants other than toxic pollutants if the applicant demonstrates at such hearing that (whether or not technology or other alternative control strategies are available) there is no reasonable relationship between the economic and social costs and the benefits to be obtained (including attainment of the objective of this chapter) from achieving such limitation.

(B) Reasonable progress

The Administrator, with the concurrence of the State, may issue a permit which modifies the effluent limitations required by subsection (a) of this section for toxic pollutants for a single period not to exceed 5 years if the applicant demonstrates to the satisfaction of the Administrator that such modified requirements (i) will represent the maximum degree of control within the economic capability of the owner and operator of the source, and (ii) will result in reasonable further progress beyond the requirements of section 1311(b)(2) of this title toward the requirements of subsection (a) of this section.

(c) Delay in application of other limitations

The establishment of effluent limitations under this section shall not operate to delay the application of any effluent limitation established under section 1311 of this title.

CWA Statutory Provision For EPA to Establish National Technology-Based Standards	Factors EPA May Consider in Setting National Standard
conventional pollutant control technology ("BCT"). Section 304(b)(4)(B), 33 U.S.C. § 1314(b)(4)(B) (listing factors).	*publicly owned treatment works to the cost and level of reduction of such pollutants* from a class or category of industrial sources," and "the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, non-water quality environmental impact (including energy requirements), and such other factors as the Administrator deems appropriate." (emphasis added).
Section 306(a)(1) and (b)(1)(B), 33 U.S.C. § 1316(a)(1) and (b)(1)(B) — Industry-wide technology standard for effluent discharges from new sources of all pollutants requiring *best available demonstrated control technology* ("BADT").	"[F]or the control of the discharge of pollutants which reflects the *greatest degree of effluent reduction which the Administrator determines to be achievable* through application of the *best available demonstrated control technology*, processes, operating methods, or other alternatives, including where practicable, permitting no discharge of pollutants." "[T]he Administrator shall take into consideration *the cost of achieving such effluent reduction*, and any non-water quality, environmental impact and energy requirements." (emphasis added).